



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING & DEVELOPMENT**

Application Number: 2307744
Applicant Name: Aaron Pambianco
Address of Proposal: 804 NW Market Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to change the use of an existing single family residence to a 3 unit apartment building. Project includes future addition of 1265 square feet of habitable floor area. Parking for 2 vehicles to be provided at grade.*

The following approval is required:

Administrative Conditional Use - to allow a single purpose residential structure in a NC1-30 zone (Chapter 23.47.004 E, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction

*Project originally noticed as Master Use Permit to change the use of an existing single family residence to a 3 unit apartment building. Project includes future addition of 1265 square feet of habitable floor area. Parking for 3 vehicles to be provided at grade.

BACKGROUND DATA

Site Description

The subject site is located on NW Market Street about 34 feet west of 8th Avenue NW in a Neighborhood Commercial 1 zone with a 30 foot height limit (NC1-30). The site is 4,100 square feet (41 feet by 100 feet) in area and developed with a single family home. The house is on about a 6-8 foot plateau as viewed from the sidewalk and is accessed by set of stairs directly from the sidewalk. At the house grade, the topography is fairly flat. Parking is provided in the rear of the parcel via an easement. The easement runs the entire length of the block and functions like a public alley.

Zoning and Development in the Vicinity

The surrounding property to the east is zoned NC1-30 and developed with a one-story commercial building. Property to the west is zoned NC1-30 and developed with a triplex. Property to the south, across NW Market Street is zoned NC1-30 and developed with a commercial building. Properties to the north, across the access easement are zoned Single Family 5000 and developed with single family homes and duplexes. The NC1 zone area is a small commercial node which generally includes the corner properties at the intersection of NW Market Street and 8th Avenue NW (approximately a 100 foot radius).

Current Proposal

The applicant is proposing convert an existing single family house into a triplex by converting the 3rd floor attic space into a habitable dwelling unit, and remodeling the basement and 1st floor into individual units. The footprint will be expanded by 60 square feet to provide a landing for a stairwell that will access the upper unit. Two surface parking spaces will be provided off the easement in the rear of the site.

Public Comment

One public comment letter was received during the public comment period, which ended January 14, 2004. The commenter expressed concern about construction noise, dust and vehicle parking.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

Section 23.47.006.A (SMC) provides general conditional use criteria that apply to all conditional use applications. Section 23.47.006 B.4 (SMC) provides specific criteria to be applied to an analysis of an application for single purpose residential uses in a C1 zone. Applicable criteria are stated in italics below, followed by analysis in each instance.

Section 23.47.006.A (SMC)

This section of the Code states in part: *all conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria:*

- 1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*
- 2. In authorizing a conditional use, adverse impacts may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.*

The proposed residential use will not be materially detrimental or create adverse impacts in that more intense commercial developments are allowed and contemplated within this zone. The potential impacts and detrimental effects associated with allowing a single purpose residential use in a commercial zone are evaluated under specific Conditional Use criteria below.

Section 23.47.006.B.4 (SMC)

This section of the Code states in part: *in order to conserve the limited amount of commercially zoned land for commercial uses, single-purpose residential structures shall generally not be allowed in commercial zones...where single-purpose residential structures may be permitted as an administrative conditional use, such a permit may be granted only when the following circumstances exist:*

- a. Due to location or parcel size, the proposed site is not suited for commercial development; or*

The existing single family structure is proposed to be retained, remodeled and converted to a triplex. The parcel size is relatively small for commercial development with only 41 feet of street frontage. The topography of the site is less than ideal for commercial development in that the structure sits on top of a plateau and is about 6 feet above sidewalk grade. Additionally, the building façade is about 20 feet from the property line. Hypothetically, conversion of the residential use to a commercial use is possible; however, visibility and ease of access would not be ideal for commercial development. Parking opportunities are limited in that no on-street parking is allowed along this portion of NW Market Street and no additional parking spaces can be accommodated on the site.

The parcel is located on a block that is not predominately developed with commercial development, and not likely to be, which makes it not well suited for commercial development. The majority of the block, as well as the next block to the west, is zoned Single Family 5000 and is developed with single family homes. The commercial zoning two blocks to the west, at 14th Avenue NW demarks the edge of

expansive commercial development within the Ballard Hub Urban Village. The area in other direction is mostly residential except for another isolated NC1-30 node 1 block to the east.

It should be noted that a major remodel would likely be required to convert this structure to a commercial use conversely; the applicant is proposing a modest remodel to convert the single family home into a triplex. In light of that, commercial development at this location is not ideal.

- b. There is substantial excess supply of land available for commercial use near the proposed site, evidenced by such conditions as a lack of commercial activity in existing commercial structures for a sustained period, commercial structures in disrepair, and vacant or underused commercially zoned land; provided that single-purpose residential development shall not interrupt an established commercial street front. As used in this subsection, an "established commercial street front" may be intersected by streets or alleys, and some lots with no current commercial use.*

The subject block is not considered an established commercial street front in that only 6% of the block is developed with commercial uses. There is substantial supply of land available for commercial use west of the proposed site in the Ballard Hub Urban Village.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The proposed action is **GRANTED**.

CONDITIONS-ADMINISTRATIVE CONDITIONAL USE

None.

Signature: _____ (signature on file) Date: April 15, 2004
Jess E. Harris, AICP, Land Use Planner
Department of Planning and Development

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